

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

LOS ANGELES REGION

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ORDER NO. R4-2022-XXXX

**TERMINATION OF INDIVIDUAL WASTE DISCHARGE REQUIREMENTS
AND TIME SCHEDULE ORDER
FOR DISCHARGES TO LAND/GROUNDWATER
FOR
MALIBU BEACH RECREATIONAL VEHICLE PARK
File No. 73-073**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board) finds:

1. On January 23, 1995, the Regional Water Board adopted individual Waste Discharge Requirements (WDRs) Order No. 95-018 for discharge of domestic wastewater from a conventional septic system at the Malibu Beach Recreational Vehicle Park (Site) located at 25801 Pacific Coast Highway, Malibu, California 90265.
2. On February 2, 2000, Serra Canyon Company Limited (Discharger) filed a Report of Waste Discharge with the Regional Water Board proposing to replace the conventional septic system with a fixed activated sludge wastewater treatment system with a capacity of 18,000 gallons per day.
3. On January 11, 2001, the Discharger was authorized to discharge treated domestic wastewater under individual WDRs contained in the Regional Water Board Order No. 01-005 and Monitoring Reporting Program (MRP) No. CI-6118, adopted by the Regional Water Board. On the same date, the Regional Water Board adopted Time Schedule Order (TSO) No. 01-006, that specified timelines for workplan submittal and implementation of surface water and groundwater monitoring and for construction completion and testing of the upgraded onsite wastewater treatment system (OWTS) to meet the effluent limitations in WDRs Order No. 01-005.
4. Order No. 01-005 remained in effect for five (5) years. Sections 13260(a) and 13260(a)(1) of the California Water Code (CWC), require that a discharger of wastewater which could affect the waters of the State shall file with the Regional Water Board a Report of Waste Discharge (ROWD)/Form 200 for discharge to land, and California Water Code Section 13263(e) provides that all WDRs shall be reviewed periodically and, upon such review, may be revised by the Regional Water Board. In accordance with these provisions, the WDRs required the Discharger to submit a ROWD no later than 180 days in advance of the expiration date of Order No. 01-005 if the Discharger wished to continue discharging. No ROWD was submitted within 180 days of

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expiration. Instead, the Regional Water Board staff issued Notices of Violation on April 1, 2010 and May 18, 2017 for various violations of Order No. 01-005, amended the Monitoring and Reporting Program on June 20, 2011, requiring electronic submittal of information to GeoTracker, and accepted annual fees due thereunder, too. These actions indicate that both the Discharger and the Regional Water Board understood any continued authorization of discharge from the Site occurred under Order No. 01-005 and the accompanying TSO.

5. The Discharger is currently in compliance with the effluent limitations in the individual WDRs Order No. 01-005. However, the Discharger has not fully complied with Section 5.c of TSO No. 01-006 which required the Discharger to conduct surface water monitoring after evaluating the hydraulic connection between the groundwater and surface water and finding any evidence of degradation due to sewage disposal. Specifically, the Discharger has not completed the study to determine the hydraulic connection between groundwater under the disposal system and surface water (Pacific Ocean), as noted in paragraph 11 below.
6. On February 14, 2019, the Regional Water Board adopted General Waste Discharge Requirements for Advanced Onsite Wastewater Treatment Systems in Order No. R4-2019-0024 (General WDRs), which authorize domestic wastewater discharges up to 100,000 gallons per day (gpd) and establish effluent limitations for advanced onsite wastewater treatment systems (AOWTS). Enrollment under the General WDRs streamlines the permitting process for domestic wastewater discharges from an AOWTS and, where applicable, has replaced the need for issuance of individual WDRs.
7. On May 21, 2019, the Executive Officer issued a CWC Section 13260 letter which required the submittal of the ROWD. On June 21, 2019 and December 16, 2020, the Discharger submitted the ROWD and the revised ROWD in response to the Regional Water Board's letters.
8. On August 5, 2020, Regional Water Board staff inspected the upgraded AOWTS. The Site was significantly damaged from the Woolsey Fire that occurred in November 2018, which required an upgrade to the existing OWTS. The system upgrades include addition of an anoxic treatment unit and replacement of the fixed activated sludge unit with a membrane bioreactor. However, the system design capacity of the AOWTS remains at 18,000 gpd.
9. On July 8, 2021, the Discharger submitted a letter to the Regional Water Board stating that the 12-week startup sampling had been completed and that the AOWTS operation has been stabilized since October 2019. The Discharger requests reduction of effluent sampling frequency from a weekly to a monthly basis.

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10. On November 22, 2021, based on the estimated volume of waste discharge from the site, the Regional Water Board enrolled the Discharger under General WDRs Order R4-2019-0024, Series No. 014 with maximum daily discharge limit of 18,000 gallons through seepage pits.
11. As noted in paragraph 5 above, the TSO 01-006 specifies that the Discharger conduct surface water monitoring after evaluating the hydraulic connection between the groundwater and surface water and finding any evidence of degradation due to sewage disposal. A workplan to implement surface water and groundwater monitoring has been submitted to the Regional Water Board and the Discharger has been conducting groundwater monitoring. The Discharger has recently retained a consultant to conduct a hydraulic study to determine if there are hydraulic connections with the Pacific Ocean.
12. In response to the request for the effluent sampling frequency reduction, the MRP No. CI-10566 for the General Order requires the Discharger to perform monthly effluent monitoring for nitrogen constituents until the system has been stabilized at which time, the frequency of effluent monitoring can be reduced from a monthly to a quarterly basis. Additionally, the Discharger is in the process of installing an ultraviolet (UV) disinfection system to replace chlorination in order to meet total coliform limits.
13. MRP No. CI-10566 further requires continued monitoring of the groundwater and surface water monitoring program implementation when raw or treated wastewater is discharged to surface water, or if there is a hydraulic connection with the Pacific Ocean. The MRP also specifies quarterly submittal of progress reports on the investigation of a potential hydraulic connection to the Pacific Ocean and requires completion of the investigation and report submittal within one year of enrollment.
14. The outstanding requirement in the TSO has been incorporated in MRP CI-10566. The Discharger has enrolled in the General WDRs. Therefore, the individual WDRs in Order No. 01-005 and the companion order, TSO No. 01-005 are no longer needed. Order No. 01-005 and TSO No. 01-006 shall be terminated except for purposes of enforcement.
15. The terminations of WDRs Order No. 01-005 and TSO No. 01-006 are exempt from the California Environmental Quality Act because the termination of the WDRs and the discharge authorized by the WDRs does not have the potential for causing a significant impact on the environment. See Title 14, Cal. Code Regs. § 15061(b)(3). This is especially true since the Discharger has enrolled in the General WDRs.

The Regional Water Board has notified the Discharger and the interested agencies, and persons of interest its intent to consider terminations of WDRs Order No. 01-005 and TSO No. 01-006 and provided them with an opportunity to submit comments. The Regional

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Water Board, in a public meeting, heard and considered all comments and testimony pertinent to the Order.

IT IS HEREBY ORDERED that Order No. 01-005 and TSO No. 01-006 be terminated, except for enforcement purposes.

The Executive Officer of the Regional Water Board is authorized, and is hereby directed, to certify and submit a copy of this Order to the Discharger, and to such individuals and governmental agencies that request it.

I, Renee Purdy, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on February 10, 2022.

Renee Purdy
Executive Officer

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